

**MONTANA FISH, WILDLIFE & PARKS**  
**HUNTING SEASON / QUOTA CHANGE SUPPORTING INFORMATION**

**Species: Furbearers**  
**Region: Statewide**  
**Hunting District: Statewide**  
**Year: 2015**

**1. Describe the proposed season / quotas changes and provide a summary of prior history (i.e., prior history of permits, season types, etc.).**

As part of the settlement agreement in Friends of the Wild Swan vs. Dan Vermillion et. al. (13-CV-66-M-

DLC), the State-Defendants agreed to adopt and implement special regulations required in areas identified as “Lynx Protection Zones” to “protect lynx and help trappers avoid accidentally taking lynx in Montana. These regulatory measures require Commission approval to be adopted and implemented. The special regulations for Lynx Protection Zones for the Commission to consider are:

- a. Rabbit or hare parts, whether for flagging purposes or for bait, may not be used within 30 feet of a set trap
- b. The use of natural flagging such as bird wings, feathers, or pieces of fur may not be used within 30 feet of a set trap
- c. The use of fresh meat baits is not allowed (only tainted bait allowed)
- d. The use of Conibear or “body-gripping” traps are not allowed unless:
  1. they are placed as part of a water set
  2. they are placed as part of an elevated set that does not include a leaning pole
  3. they have a jaw spread of less than or equal to 5 inches
  4. are placed in a leaning pole set with a diameter of no larger than 4 inches and with trap and bait set at least 48 inches above the ground; or
  5. are placed with a trigger recessed a minimum of seven inches and contained in a wood, plastic, or metal enclosure or cubby with an opening no larger than 52 square inches
- e. For trappers targeting bobcat, the use of foothold or leghold traps are not allowed unless they:
  1. have an inside jaw spread of less than or equal to 5 3/8 inches
  2. are placed in a leaning pole set with a diameter of no larger than 4 inches and with trap and bait set at least 48 inches above the ground; or
  3. are equipped and set with a minimum 10 pound pan tension device
- f. The use of snares are not allowed unless they:
  1. have a cable diameter greater than or equal to 5/64 inches
  2. have loops that are larger than 8 inches measured from side to side; and
  3. are equipped with a breakaway lock device designed to release when more than 350 pounds of force is applied (no non-relaxing lethal snares are allowed)
- g. All leaning pole sets must use poles that are no larger than 4 inches in diameter and with trap and bait sets at least 48 inches above the ground

- h. Any incidentally caught lynx that is uninjured must be immediately released, if possible. Any trapper who accidentally takes a lynx is required to notify their local conservation officer as soon as possible or within 24 hours. Persons who know about the take of a lynx shall report it by calling 1-800-6668
- i. Trappers targeting bobcat are required to visually check their traps at least once every 48 hours
- j. Trappers are strongly encouraged to not set traps if lynx are observed in an area or if lynx tracks are identified. Trappers are also strongly encouraged to use live traps (e.g. box trap) and carry catchpoles to aid in the safe release of non-target species.

**2. Why is the proposed change necessary?**

The proposed changes to the furbearer regulations are necessary to meet the terms of the settlement agreement. If the proposed changes are not adopted the suit will go to court.

**3. What is the current population's status in relation to the management objectives? (i.e., state management objectives from management plan if applicable; provide current and prior years of population survey, harvest, or other pertinent information).**

NA

**4. Provide information related to any weather/habitat factors that have relevance to this change (i.e., habitat security, hunter access, vegetation surveys, weather index, snow conditions, temperature / precipitation information).**

NA

**5. Briefly describe the contacts you have made with individual sportsmen or landowners, public groups or organizations regarding this proposal and indicate their comments (both pro and con).**

Information about the lawsuit settlement was shared at regional meetings with trappers. Reactions were mixed with some opposing the conditions of the settlement while others thought it would not require too much change to the way they currently trap.

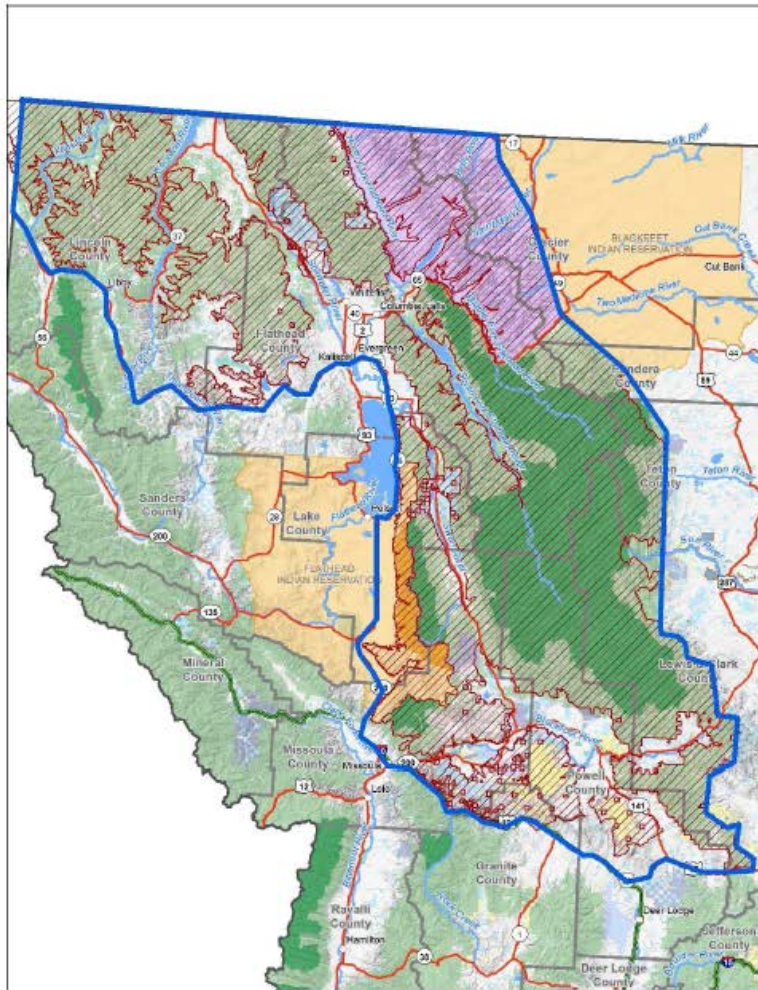
**Submitted by:** Wildlife and legal staff

**Date:** 4/28/15

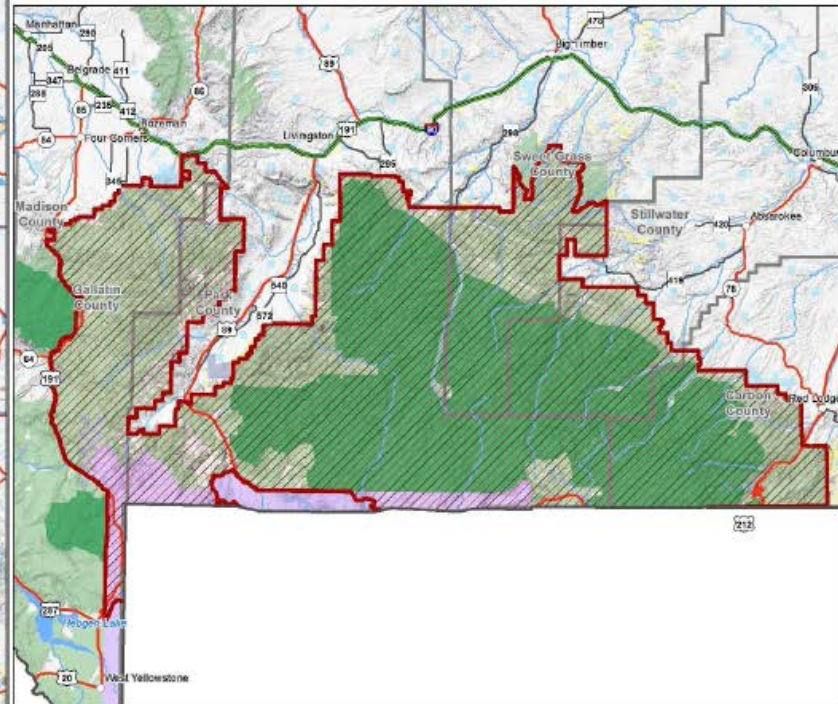
**Approved:** \_\_\_\_\_  
**Regional Supervisor / Date**

**Disapproved / Modified by:** \_\_\_\_\_  
**Name / Date**

**Reason for Modification:**



Northwest Montana portion of the Lynx Protection Zone



Greater Yellowstone Area portion of the Lynx Protection Zone

## Proposed Lynx Protection Zones for Montana